

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 15,589

IN THE MATTER OF:

Served May 15, 2015

EXACT ENTERPRISES INC., Suspension)
and Investigation of Revocation of)
Certificate No. 1249)

Case No. MP-2015-029

This matter is before the Commission on respondent's response to Order No. 15,443, served March 9, 2015, revoking Certificate No. 1249 pursuant to Article XI, Section 10(c), of the Compact.

Under the Compact, a certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.¹ Commission Regulation No. 58 required respondent to insure the revenue vehicles operated under Certificate No. 1249 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 1249 was rendered invalid on February 4, 2015, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 15,377, served February 4, 2015, noted that Certificate No. 1249 would be subject to revocation if respondent failed to file the necessary insurance endorsement(s) and pay a \$100 late fee on or before March 6, 2015. Instead of complying, respondent filed a request for a 60-day extension of time on March 2, 2015. The extension was denied and Certificate No. 1249 revoked in accordance with Regulation No. 58-15(a) in Order No. 15,443 on March 9, 2015.

On April 6, 2015, respondent filed an application for reconsideration of Order No. 15,443.

Title II of the Compact, Article XIII, Section 4(a), provides that: "A party to a proceeding affected by a final order or decision of the Commission may file within 30 days of its publication a written application requesting Commission reconsideration of the matter involved, and stating specifically the errors claimed as grounds for the reconsideration."

¹ Compact, tit. II, art. XIII, § 7(g).

"When seeking reconsideration of a revocation for failure to comply with Regulation No. 58, a carrier must file both the application and the necessary endorsement(s) within the 30-day statutory filing period."² Respondent, therefore, had until April 8, 2015, to file an application for reconsideration and the necessary endorsement(s). The application was timely filed, but respondent has yet to file the necessary insurance endorsement(s) and pay the \$100 late fee.

Accordingly, the application for reconsideration is denied.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER AND HOLCOMB:

A handwritten signature in black ink, appearing to read 'W. S. Morrow, Jr.', is positioned above the printed name and title.

William S. Morrow, Jr.
Executive Director

² *In re E.B. Limo. and Transp. Servs. LLC*, No. MP-08-201, Order No. 11,795 (Jan. 13, 2009); *In re Lee Coaches, Inc.*, No. MP-07-224, Order No. 11,170 (Feb. 26, 2008). See also Regulation No. 58-15(b) (Executive Director may reinstate certificate only if necessary endorsement(s) and late fee payment are timely tendered).